

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 10336 of 2021**

Chintamani @ Rinku S/o Utara Miri Aged About 26 Years R/o Manikpur,  
Tehsil Lormi, Police Station Lalpur, District Mungeli, Chhattisgarh,  
District : Mungeli, Chhattisgarh

**---- Applicant**

Versus

State Of Chhattisgarh Through Excise Circle Lormi, District Mungeli,  
Chhattisgarh, District : Mungeli, Chhattisgarh

**---- Respondent**

For the Applicant	:	Shri Pallav Mishra, Advocate
For the State	:	Shri Devesh Verma, Govt. Advocate

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**Hon'ble Shri Justice N.K. Chandravanshi**

**Order On Board****30/12/2021**

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No. 98/2021, registered at Excise Circle, Lormi, District – Mungeli (C.G.), for the offence punishable under Sections 34 (1) A, 34 (2), 59 (A) of C.G. Excise Act.
3. Prosecution story in brief is that on 20/12/2021, 15 bulk liter of hand made raw liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that he is innocent and falsely implicated in this case, he is in jail since 20/12/2021, he is resident of Village Manikpur, P.S. Lalpur, District Mungeli (C.G.), hence there is no chance of absconding of applicant. He next

submits that applicant is a poor person and he is only bread earner of his family, therefore, he may be released on bail.

5. On the other hand, the State counsel opposes the bail application. He submits that alleged liquor has been seized from illegal possession of the applicant, charge-sheet has not been filed, therefore, he may not be granted bail.
6. Considered the submissions made by both the counsel.
7. Considering the facts and circumstances of the case, quantity of liquor seized from possession of the applicant, detention period of the applicant, also taking into consideration that he is permanent resident of District Mungeli (C.G.) as stated by counsel for the applicant, I feel inclined to allow the bail application. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond in the like sum to the satisfaction of the trial Court concerned for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.
8. In view of above, I.A.No.1, application for urgent hearing and I.A. No.2, application for seeking listing the matter in winter vacation stand disposed of.

CC as per rules.

**Sd/-**  
**(N.K. Chandravanshi)**  
**VACATION JUDGE**